



ATTORNEY'S DOCKET NO: M0765/7034 (HCL/MAT)

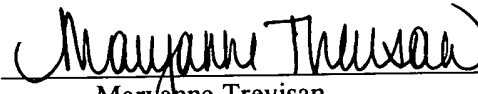
THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Laposata
Serial No: 09/758,099
Filed: January 10, 2001
For: METHODS FOR MONITORING ALCOHOL CONSUMPTION
Examiner: Not yet assigned
Art Unit: 3736

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Maryanne Trevisan

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

REMARKS

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

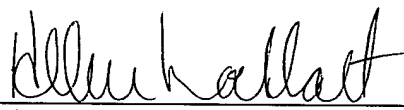
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 
Helen C. Lockhart (Reg. No. 39,248)
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. M0765/7034 (HCL/MAT)
Dated: April 17, 2001
x05/10/01



3736

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Maryanne Trevisan

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL


Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement/1449/references cited
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts

No fee is required. If any fee is determined to be due by the Examiner, the Examiner is authorized to charged the appropriate fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

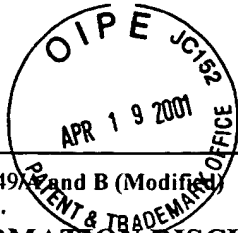
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ATTY. DOCKET NO.: M0765/7034

FORM PTO-1449 (Rev. 12-1997) and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 09/758,889

FILING DATE: January 10, 2001

APPLICANT: Michael Laposata

GROUP ART UNIT: 3736

EXAMINER: not yet assigned

Sheet _____ of _____

U.S. PATENT DOCUMENTS

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YY
		Number	Kind Code		
	A1	5,952,235		Bearer	September 14, 1999
	A2	5,399,731		Wimmer, et al.	March 21, 1995
	A3	5,399,730		Koupchinov, et al.	March 21, 1995
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	A5	4,797,233		Zinnen, et al.,	January 10, 1989
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	A7	4,608,202		Lepper, et al.	August 26, 1986
	A8	4,334,540		Preti, et al.	June 15, 1982
	A9	5,515,847		Braig, et al.	May 14, 1996

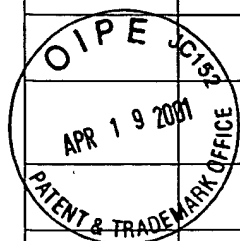
FOREIGN PATENT DOCUMENTS

Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
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		ALERYANI, et al., "Fatty acid ethyl ester synthase, an enzyme for nonoxidative ethanol metabolism, is present in serum after liver and pancreatic injury", <i>Clin. Chem.</i> , 42(1):24-27 (1996)		
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		BEARER, et al., "Fetal alcohol syndrome and fatty acid ethyl esters", <i>Pediatric Research</i> , , <i>Pediatric Res.</i> 31(5):492-495 (1992)		
		BERNHARDT, et al., "Purification of fatty acid ethyl esters by solid-phase extraction and high-performance liquid chromatography", <i>J. Chromatography</i> , 675:189-196 (1996)		
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		BJORNTOP, et al., "Alcohol consumption and synthesis of ethyl esters of fatty acids in adipose tissue", <i>J. Intern. Med (England)</i> , 228(6):557-62 (1990) ABSTRACT		
		CHEN, et al., "Comparison of the susceptibility to oxidation of lipoproteins isolated by ultracentrifugation and preceipitation", <i>Eleventh Annual Mid-Atlantic Lipid Research Symposium</i> March 10-12, (1999) ABSTRACT		
		DAN, et al., "Ethyl palmitate and ethyl oleate are the predominant fatty acid ethyl esters in the blood after ethanol ingestion and their synthesis is differentially influenced by the extracellular concentrations of their corresponding fatty acids", <i>Alcoholism: Clinical and Experimental Research</i> , 21(2):286292 (1997)		
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		LAPOSATA, et al., "Fatty acid ethyl esters: non-oxidative metabolites of ethanol", <i>Prostaglandins Leukotrienes and Essential Fatty Acids</i> , 52:87-91 (1995)		
		LAPOSATA, et al., "Metabolism of ethanol by human brain to fatty acid ethyl esters", <i>J. Biol. Chem.</i> , 262:4653-7 (1987) ABSTRACT		
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		LAPOSATA, M., "Fatty acid ethyl esters: ethanol metabolites which mediate ethanol-induced organ damage and serve as markers of ethanol intake", <i>Prog. Lipid Res.</i> , 37(5):307-316 (1998)		
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		PILANE, et al., "Increased monocyte adhesion ICAM-1 and VCAM-1 expression and NFκB activation in human endothelial cells by cholesterol", <i>Eleventh Annual Mid-Atlantic Lipid Research Symposium</i> March 10-12, (1999) ABSTRACT		
		POIKOLAINEN "Correlations between biological markers and alcohol intake as measured by diary and questionnaire in men", <i>J. Stud. Alcohol</i> , 46:383-7 (1985) ABSTRACT		
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		WERNER, et al., "Pancreatic injury in rats induced by fatty acid ethyl ester, a nonoxidative metabolite of alcohol", <i>Gastroenterology</i> , 113:286-294 (1997)		
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EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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